

No, nothing, except that it should be disposed of to get rid of the liability of taxes, insurance and loss through depreciation.

Joseph E. Elder

Whereupon there being no other witnesses to be examined and no further time being required for the taking of testimony in this cause, I, the aforesaid Examiner, hereby certify that the foregoing are the original depositions in said cause as the same were taken down by the Examiner, aforesaid, read over and signed by the witnesses respectively and I herewith return the same to your Honorable Court, this 25th day of January, 1939.

Witness my hand and seal.

Alfred R. Jones (SEAL)  
EXAMINER

Cost of Aforegoing Testimony:

Alfred R. Jones, Examiner, One day	\$4.00	not pd.
Peter F. Burket, witness, one day	.75	not pd.
George L. Wilhide, witness, one day	.75	not pd.
Peter F. Burket, mileage from Emmitsburg 13 miles @ 10¢ per mile	1.30	not pd.
George L. Wilhide, mileage from Emmitsburg 13 miles @ 10¢ per mile	1.30	not pd.
Total Costs	<u>\$8.10</u>	not pd.

Certified by:

Alfred R. Jones  
EXAMINER

Filed January 25, 1939.

Additional Testimony

John D. Elder, et. al.	"	No. 13,812 Equity
	"	In the Circuit Court
vs.	"	For Frederick County
Eleanor E. Downey, et. al.	"	In Equity.

TO THE HONORABLE JUDGES OF SAID COURT:

Pursuant to the decree Pro Confesso and the Order of your Honorable Court passed in the above-entitled cause, and at the request of the Plaintiffs' Solicitor to take ADDITIONAL testimony therein, I, Alfred R. Jones, one of the Standing Examiners of your Honorable Court, duly appointed, qualified, and sworn, at the office of Alfred R. Jones, Esquire, Frederick City, Maryland, on the 9th day of February, 1939, at the hour of 11:00 o'clock, A. M., proceeded to take the following depositions of the witness then and there produced before me, that is to say,

Present:

Frank J. Campbell, Esquire, Solicitor for Plaintiffs

Plaintiff, Joseph E. Elder, Esquire,

JOSEPH E. ELDER, a witness of lawful age, heretofore produced one of the Plaintiffs in the above-entitled cause, and now produced for the purpose of taking additional testimony, having been sworn deposes as follows:

You have testified that you are one of the plaintiffs to this cause, will you please state the names of the other plaintiffs and the defendants?

The Plaintiffs are John D. Elder, Genevieve R. Elder, Hazel R. Halm, Mary B. Ott, Bernard J. Ott, Anna F. Lepore, Alfred Lepore and myself, Joseph E. Elder. The Defendants are Eleanor E. Downey, James Downey, Vincent Hardman, Margaret Hardman, who is an infant, Sarah Hardman, who is an infant and Pauline Hardman, who is an infant.

Will you please state if the plaintiffs are adults over the age of twenty one years?